



Response Under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 1651

PATENT Attorney Docket 061351-5001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re	Applicati	ion of: Paul L. Kornblith)		
Application No. 09/040,161)	Group Art Unit: 1651	
Filed: March 17, 1998)	Examiner: Ralph J. Gitomer		
For:	Biologi	d for Preparing Cell Cultures From cal Specimens for Chemotherapeutic her Assays)))		
U.S. 2011 Cust Cryst	Patent an South Cl omer Wi	r for Patents ad Trademark Office lark Place indow, Mail Stop AF Two, Lobby, Room 1B03			
Sir:		TRANSMITTAL I	FORM		
1.		Transmitted herewith is an Amendment Under 37 C.F.R. § 1.116 responding to the Office Action dated June 6, 2004 and a Notice of Appeal, along with a Petition for Extension of Time			
2.	Extens	sion of Time			
	_	The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.			
	Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:				
		two months	\$	215.00	
	If an a	additional extension of time is required, please	e consider	this a Petition therefor.	
4.	Fee Pa	ayment			
	\boxtimes	The Commissioner is hereby authorized to charge the amount of \$385.00 for			

two-months extension of time (\$215) and a Notice of Appeal (\$170) to

Deposit Account No. 50-0310.

5. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: November 3, 2004

By:

Suzanne Ziska Reg. No. 43,371

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